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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gary R. Janik et al.

Application No.: 10/616,064

Art Unit.: 2877

Filing Date: 07/08/2003

Examiner: Roy M. Punnoose

For: "Film Measurement With Interleaved Laser Cleaning"

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: March 24, 2006

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.
2. **STATUS:** Applicant is other than a small entity.
3. **EXTENSION OF TERM:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
4. **FEE FOR CLAIMS:** The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	51	Minus	47	= 4	x \$50 =	\$200
Indep.	14	Minus	3	= 11	x \$200 =	\$2,200
First Presentation of Multiple Dependent Claim					+ \$360 =	\$0
					Total Addit. Fee	<u>\$2,400</u>

5. **FEE PAYMENT and DEFICIENCY:** Please charge Deposit Acct. 50-0574 the amount of \$2,400.00 for additional claims. If any additional extension and/or fee is required, also charge Account No. 50-0574.

Customer No. 32357
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SIGNATURE OF PRACTITIONER

Jeanette S. Harms
Reg. No. 35,537

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March. 24, 2006.

3/24/2006
Date

Signature: Rebecca A. Baumann



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary R. Janik et al.
Assignee: KLA-Tencor Technologies Corporation
Title: Film Measurment With Interleaved Laser Cleaning
Serial No.: 10/616,064 File Date: July 8, 2003
Examiner: Roy M. Punnoose Art Unit: 2877
Docket No.: KLA-005

Date: March 24, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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AMENDMENT IN RESPONSE TO THE FIRST OFFICE ACTION

Initial Comments

Claims 5-20, 24-39, and 43-51 are pending in the present application.

Claims 1, 21, and 40 are rejected under 35 USC 112, first paragraph. Claims 9, 11-15, 17, and 19 are rejected under 35 USC 112, second paragraph. Claims 1-6, 9-10, 21-22, 29-30, 40-41, and 43-45 are rejected under 35 USC 102(e) as being anticipated by US Patent 6930771 (Rosencwaig). Claims 23 and 42 are rejected under 35 USC 103(a) as being obvious over Rosencwaig. Claims 7-8, 11-20, 24-28, 31-39, and 46-47 are objected to as being dependent on rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Claims 1-4, 21-23, and 40-42 are cancelled, thereby rendering the rejection of those claims moot. Claims 5-7, 9, 11-12, 15, 17, 19, 24, 29-32, 36, 38, and 43-47 are amended herein. Claims 48-51 are added.